REMARKS

In view of the above amendments and following remarks, reconsideration and further examination are requested.

Claims 12-14 and 22-25 were rejected under 35 U.S.C. 102(a) as being anticipated by Katsumata et al. Claims 12-14 and 22-25 were rejected under 35 U.S.C. 102(b) as being anticipated by Miyata et al. Claims 12-15 were rejected under 35 U.S.C. 103(a) as being unpatentable over White in view of Miyata et al. And, claims 16-21 and 27-31 were rejected under 35 U.S.C. 103(a) as being unpatentable over White in view of Laursen. These rejections are respectfully traversed, and the references relied upon by the Examiner are not applicable with regard to the currently amended claims for the following reasons.

With regard to independent claims 12, 14 and 23, the Examiner has maintained his position that these claims are anticipated by each of Katsumata et al and Miyata et al. For the reasons presented in the final paragraph beginning on page 11 of the Response filed July 18, 2003, through page 12 of that Response, it is respectfully submitted that Katsumata et al. does not anticipate any of claims 12, 14 and 23. Similarly, for the reasons as expressed in the initial paragraph on page 13 of the Response filed July 18, 2003, none of claims 12, 14 and 23 is anticipated by Miyata et al. Specifically, neither Katsumata et al. nor Miyata et al. disclose or suggest a slurry feeder that includes a control system for

> suspending operation of said slurry feed pump during a time period when the slurry is not being supplied to the polishing apparatus (table) and the polishing apparatus (table) is...polishing.

Irrespective of the above: claim 16 has been amended to incorporate thereinto the subject matter of claims 14 and 15; claim 18 has been amended to incorporate thereinto the subject matter of claim 14; claim 21 has been amended to incorporate thereinto the subject matter of claim 14; claim 26 has been amended to incorporate thereinto the subject matter of claims 23, 24 and 25; claim 27 has been amended to incorporate thereinto the subject matter of claim 23; claim 30 has been amended to incorporate thereinto the subject matter of claim 23; claim 15 has been amended to depend from claim 21; and claims 12-14, 17 and 23-25 have been cancelled.

Each of independent claims 16, 18, 26 and 27 is believed to be allowable over any of the references relied upon by the Examiner, either taken alone or in combination, because each of these claims requires that the control system is to control another operation that is not taught nor suggested by any of the references relied upon by the Examiner.

In this regard, claims 16, 18, 26 and 27 require a slurry feeder that further includes a preparation tank for having prepared therein slurry having a given concentration by mixing and diluting a stock solution of slurry with de-ionized water or a chemical liquid, wherein the control system is also for

> suspending the mixing of the stock solution of slurry with the de-ionized water or chemical solution during a time period when the stock solution of slurry is not being diluted by the de-ionized water or chemical liquid.

A slurry feeder including such a control system is not taught nor suggested by any of the references relied upon by the Examiner.

In rejecting claims 16, 18, 26 and 27 the Examiner relied upon a combination of White and Laursen. The Examiner recognized that Laursen teaches mixing slurry and de-ionized water, and thus concluded that one having ordinary skill in the art would have found it obvious to have modified White by mixing slurry and de-ionized water in the system thereof. However, claims 16 and 26 require more than a system that is capable of mixing slurry and de-ionized water. In this regard, each of claims 16, 18, 26 and 27 requires a control system for performing a specific operation pertaining to mixing of stock solution of slurry with de-ionized water or a chemical solution. Such a control system is not taught or suggested by White or Laursen.

Accordingly, not only does each of claims 16, 18, 26 and 27 require a control system for suspending operation of the slurry feed pump under specific conditions, but these claims also require that this control system is for suspending mixing of stock solution of slurry with de-ionized water or a chemical solution under a specific condition.

None of the references relied upon by the Examiner teach or suggest a control system that is to perform either of the above two functions, and accordingly, each of claims 16, 18, 26 and 27 is allowable over the references relied upon the Examiner, either taken alone or in combination.

If the Examiner continues to reject claims 16, 18, 26 and 27, then the Examiner is respectfully requested to specifically explain where the control system as described above is disclosed in the references relied upon, or otherwise explain why such a control system would have been obvious to one having ordinary skill in the art.

Independent claims 18 and 27 are believed to be allowable for an additional reason, because these claims require that the slurry feeder further includes a circulation system for conveying slurry, having a given concentration, discharged from the preparation tank back into the preparation tank, wherein the control system is also for

> suspending operation of said circulation system so as to stop the slurry discharged from said preparation tank from being conveyed back into said preparation tank during a time period when the stock solution of slurry is not being diluted by the de-ionized water or chemical liquid.

Accordingly, in addition to the two functions to be performed by the control system as discussed previously, claims 18 and 27 require a third function to be performed by the control system, which third function is also not taught or suggested by any of the references relied upon by the Examiner. Thus, claims 18 and 27 are also allowable for this reason. If the Examiner continues to reject claims 18 and 27, then the Examiner is respectfully requested to show where in the references relied upon the control system as recited in claims 18 and 27 is shown, or otherwise explain why such a control system would have been obvious to one having ordinary skill in the art.

With regard to independent claims 21 and 30, these claims are also allowable over the references relied upon by the Examiner because the subject matter recited therein is not taught or suggested by any of the references. In this regard, each of claims 21 and 30 requires a slurry feeder including a slurry supply tank and a slurry feed pipe, wherein

> a portion of said slurry feed pipe is positioned within said slurry supply tank such that an inlet of said slurry feed pipe is spaced from a bottom of said slurry supply tank...

Such a slurry feeder is not taught or suggested by any of the references relied upon by the Examiner.

In this regard, in rejecting claims 21 and 30, the Examiner relied upon a combination of White and Laursen. However, it is not seen in either of these references where a slurry feeder, including a slurry feed pipe having an opening spaced from a bottom of a slurry supply tank, is taught or suggested. Accordingly, claims 21 and 30 are allowable. For analogous reasons, claims 19 and 28 are allowable in their own right. If the Examiner continues to reject any of these claims, then the Examiner is respectfully requested to specifically identify where a slurry feed pipe so positioned within a slurry supply tank is shown in either of these references.

In rejecting claim 22, the Examiner maintained that this claim is anticipated by each of Katsumata et al and Miyata et al., and stated

> ...the claimed structure discloses an apparatus which is the result of applicants equation. The invention can have the slurry turned on and off at any time.

Applicants are unclear as to the Examiner's basis for holding claim 22 to be anticipated by Katsumata et al and Miyata et al. The subject matter of claim 22 is not taught or suggested by any reference relied upon by the Examiner, and accordingly, claim 22 is allowable. If the Examiner continues to reject claim 22, then the Examiner is respectfully requested to specifically explain how claim 22 is being read on either Katsumata et al or Miyata et al.

And, in rejecting claim 31, the Examiner relied upon a combination of White and Laursen. However, it is unclear as to how White and Laursen are being relied upon to reject claim 31. Indeed, in paragraph 6 of the Office Action, the subject matter of claim 31 is not discussed. Accordingly, it is respectfully submitted that claim 31 is allowable. If the Examiner continues to reject claim 31, then the Examiner is respectfully requested to specifically explain how claim 31 is being read on a combination of White and Laursen.

In view of the above amendments and remarks, it is respectfully submitted that the present application is in condition for allowance and an early Notice of Allowance is earnestly solicited.

If after reviewing this Amendment, the Examiner believes that any issues remain which must be resolved before the application can be passed to issue, the Examiner is invited to contact the Applicants' undersigned representative by telephone to resolve such issues.

Respectfully submitted,

THE COMMISSIONER IS AUTHORIZED TO CHARGE ANY DEFICIENCY IN THE FEES FOR THIS PAPER TO DEPOSIT ACCOUNT NO. 23-0975

Takashi TANAKA ET AL.

By: Joseph M. Gorski

Joseph M. Gorski
Registration No. 46,500
Attorney for Applicants

JMG/tg
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
April 7, 2004